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A Preliminary Study of the Economic Implications From Court Service Delivery Consolidation in Rural Iowa: Phase I Report

Abstract

This report is designed to foster discussion among citizens, leaders and policymakers regarding an important public issue of concern to Iowans. Iowa State University seeks to provide accurate research-based information on relevant issues and neither endorses nor opposes proposals regarding the issues analyzed. The research contained herein was conducted with partial support from the Iowa Agriculture and Home Economics Experiment Station (TAHEES), the Iowa Cooperative Extension Service (CES), and funding from local officials in 40 Iowa counties collected by Rural Counties Against Regionalization (RCAR). RCAR funding was solely used for funding research assistance with the understanding that the goal of the project was to develop objective information sources for making reasonable judgments regarding consolidation issues. The project director expressly avoided receiving financial gain from the project so as to prevent conflicts of interest, bias in research, and/or any appearance thereof;

Disciplines

Economic History | Economic Policy | Other Legal Studies

Staff Paper 251

A PRELIMINARY STUDY OF
THE ECONOMIC IMPLICATIONS FROM
COURT SERVICE DELIVERY CONSOLIDATION
IN RURAL IOWA: PHASE I REPORT.*

by

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February 4, 1994

* This report is designed to foster discussion among citizens, leaders and policymakers regarding an important public issue of concern to Iowans. Iowa State University seeks to provide accurate research-based information on relevant issues and neither endorses nor opposes proposals regarding the issues analyzed. The research contained herein was conducted with partial support from the Iowa Agriculture and Home Economics Experiment Station (IAHEES), the Iowa Cooperative Extension Service (CES) and funding from local officials in 40 Iowa counties collected by Rural Counties Against Regionalization (RCAR). RCAR funding was solely used for funding research assistance with the understanding that the goal of the project was to develop objective information sources for making reasonable judgements regarding consolidation issues. The project director expressly avoided receiving financial gain from the project so as to prevent conflicts of interest, bias in research, and/or any appearance thereof.

** Terry L. Raun, J.D. is a Legal Research Consultant and provided research assistance for this project. The project director is Dr. Mark A. Edelman, Professor of Economics and Public Policy, Department of Economics, Iowa State University. Dr. Edelman is Campus Coordinator of the Rural Policy Research Institute (RUPRI), Coordinator of the Iowa Public Policy Education Project (PPEP) and has conducted numerous research and extension projects on public finance, education, health care and state and local government issues.

EXECUTIVE SUMMARY OF PRELIMINARY ISU COURT STUDY FINDINGS

* Court financing problems are of national concern. Public concern over crime is rising. Court systems are receiving increasing criticism for being too slow and inefficient. Caseloads are rising in civil and criminal courts nationwide. Fiscal problems in all but a few states are placing additional financial pressures on the courts. Increasing caseloads coupled with constrained funding from legislatures are forcing state court systems to develop new organization structures, management procedures and financing mechanisms to fund court operations while providing equal access to justice. Financial pressures on Iowa's courts are creating similar concerns and responses.

* During the 1993 General Assembly, the Chief Justice of the Iowa Supreme Court, in his State of the Judiciary address, suggested that without adequate financial support for judicial operations, Iowa must consider consolidation of rural district court offices as a viable option for meeting funding constraints. At the request of the Supreme Court, the State Court Administrator developed three structural alternatives to the present 99 county system of District Court service delivery in Iowa. While no plan has been approved or implemented, it is commonly perceived that consolidation of rural court services would generate large cost savings for Iowa. Yet, this research concludes that no detailed cost analysis has been conducted on consolidation by the Court Administrator or any other state government agency. Thus, no hard evidence exists for making definitive statements about costs (or savings) resulting from rural court consolidation in Iowa.

* The literature review provides sufficient conceptual basis and empirical evidence from other states to question the existence of savings from consolidation. If Iowa were to implement one of the proposed consolidation plans, total costs of District court services in Iowa might either rise or fall. Savings from consolidation would be negative if increases in facility, non-Judge personnel time, and transportation costs more than offset savings in Judge personnel time and Judge transportation costs.

* The literature review finds that total court consolidation costs (savings) are different from consolidation costs (savings) accruing to the state court system. A California study showed 56 percent of court costs being paid by agency budgets other than the court system. The agencies included were law enforcement, attorneys, and other state and local government agencies. This means that consolidation costs (savings) to the state court system cannot be analyzed in isolation, if significant costs affecting the performance of the court system are provided by external agencies and clients and if the proposed structural changes would alter the costs of external agencies and clients.

* The literature review identifies court availability effects related to domestic violence in rural areas, which raises legal issues regarding equal access for rural people.

PART I. REVIEW OF LITERATURE, ISSUES, METHODS AND DATA

A. REVIEW OF LITERATURE ON ECONOMIES OF SIZE ISSUES WITH FOCUS ON COURT SERVICE DELIVERY IN IOWA AND SELECTED STATES.

A search of economics and law literature was conducted through the Drake University Law Library, Iowa State University Library and the National Center for State Courts. This search produced a limited number of studies of particular interest, including: a study on cost analysis and data collection methodology for court services; a comparative study of rural and urban court costs in Colorado, a study of internal and external agency costs for the Superior Court of California, a study of court manpower distribution and workload in Utah, and a study of rural judicial availability which provides a sense of implications from reducing access to the court system via consolidation. Additional citations and materials collected from Iowa's Legislative Fiscal Bureau and State Court Administrator have also been helpful in developing this preliminary study.

1. THE COST ANALYSIS AND DATA COLLECTION METHODOLOGY STUDY (National Institute of Justice, 1987) provides a conceptual framework for assisting court administrators with information on how full costs of court service delivery can be identified, analyzed and managed. The framework provided by this publication is used in this preliminary study to develop conceptual hypotheses as to whether Iowa's alternative court consolidation plans would increase or reduce court delivery costs in Iowa.

Direct state by state cost comparisons of court costs often represent comparisons of "apples to oranges" instead of "apples to apples". For example, rural county courts in Colorado incurred average unit costs per case terminated of \$34.78 in 1981 while Bucks County Pennsylvania had average costs of \$20.45 per case. Among the major causes of the uncontrollable differences in the reported costs of various states are:

- * Differing definitions of full costs, with one court including only direct costs, while the other includes all direct and indirect costs of court service delivery.

- * Dissimilar partial budgeting practices with courts counting cost or expenditure items only incurred under their budget. The problem develops because some state court systems pay for costs of facilities or psychiatric evaluations while other state court systems receive these services from outside agencies and thus never reflect them in court budgets or accounting records.

- * Variations in size with larger courts benefiting from economies of scale and their ability to earn discounts on bulk purchases.

- * Differences in court jurisdiction and structure which varies from state to state and sometimes within states.

* Regional price differences and variations in prevailing wage rates.

* Disparities in accounting practices, with some court systems reporting expenditures for purchases and acquisition while others reporting full costs of court services reflecting resource use.

Therefore, before comparing costs of various courts, the analysts must either ensure that common definitions of costs are used and that the data from the other court is comparable or the analysts must adjust the cost data from both courts to a common standard.

2. A COLORADO JUDICIAL COST MODEL (Colorado Court Administrator, 1985) was used to develop comparisons of rural and urban court costs per case in Colorado County Courts for fiscal years 1981 to 1985. The analysis showed rural county court costs to be \$6 to \$14 per case higher than urban county court costs. The methodology used in this study did not answer questions concerning alternative structures for providing court service delivery in rural areas or impacts on relative rural and urban costs under alternative consolidation plans.

The Colorado study also used a partial budgeting methodology which only included personnel, variable operating, fixed operating, library, travel and microfilm costs. The cost comparisons did not include facilities and other agency and clientele costs.

3. A CALIFORNIA STUDY (California Superior Court Costs Study, 1981) showed 56 percent of the court costs being paid by agency budgets other than the Superior Court. These agencies included Sheriff and Police Department, Probation Department, County Attorney, Public Defender, District Attorney and County Clerk. Therefore, when analyzing court system structural changes affecting both costs to the court system and costs to external agencies and clients, the analysts must also assure that comparison of the relevant external costs are included in the analysis. In other words, a state court system cannot analyze comparisons of its own costs in isolation, if significant costs affecting the performance of the court system are provided by external agencies and clients and if the proposed structural changes would alter the costs of external agencies and clients.

For example, Iowa Code 602.1303 requires a county or city to provide the District Court for the county with courtroom and Clerk of Court office facilities, including heat, water, electricity, maintenance, custodial services, and other expenses outlined in the Iowa Code. These costs represent a significant contribution affecting the performance of the District Court but they are provided by an external agency.

4. THE UTAH MANPOWER DISTRIBUTION STUDY (National Center of State Courts, 1988) outlines a general methodology that can be used to answer questions of how competing needs for judgeships and court

personnel in different areas of the court system may be reconciled and ranked? The Utah council--which was created to answer these questions--developed a three part assessment process: (1) establish a statistical standard measure of need, (2) estimate a statistical measure of court performance and compare the measure of performance to the established standards of need, and (3) conduct an on-site subjective assessment of the use of existing resources in courts that statistically appear to need additional personnel and those that appear to have surplus resources. Such procedures are becoming increasingly important as state budget resources become more constrained and as state court administrators attempt to justify the need for additional resources for the judicial system as caseloads increase.

5. The Rural Justice Center of Montpelier, Vermont conducted a study of Temporary Protection Orders in 805 rural counties across the nation. The study titled, Not in My County: Rural Courts and Victims of Domestic Violence (Dec. 1991), concluded that rural court access and judicial availability were important factors in assisting domestic violence victims in overcoming barriers to seeking relief from potentially violent circumstances. This conclusion raises questions concerning the importance of legal issues related to equal access to the judicial system under the proposed alternative court consolidation scenarios.

B. REVIEW OF COURT ORGANIZATION AND STRUCTURE IN IOWA AND SELECTED STATES.

1. MANAGEMENT STRUCTURE AND ORGANIZATION. Each state retains sovereign power to structure and organize their respective state court system under their state constitutions. Therefore, the court system in each state is unique and possesses some attributes different from other states.

A review of state court systems shows that Iowa has one of the least complex court structures among the states. Iowa has chosen to follow a two-tier modified federal court model of trial courts and appellate courts.

The trial courts include the District Courts, which are courts of general jurisdiction, and the Magistrate Courts, which are courts of limited jurisdiction. The appellate courts are also courts of limited jurisdiction and include the Iowa Supreme Court and the Iowa Court of Appeals. The types of cases which may be heard by these courts are set by the state constitution or by state statute.

Iowa's Supreme Court is the court of last resort and has nine Justices appointed by the Governor. Generally, a court of last resort is the court where the final appeal is heard. Once an issue is ruled upon by the court of last resort, the decision becomes the common law of the state. In Iowa, a party is allowed to request a further discretionary appeal from the Iowa Supreme

Court back to the Iowa Supreme Court, but this is rarely granted.

In 1983, the Iowa Supreme Court was given supervisory and administrative control over the Judicial Department which includes all courts, judges, judicial officers, and court employees in the state. The intent was to establish uniformity with respect to the Court's policies and administrative procedures at the State, District and County levels.

All policies and procedures for Iowa's state court system are to be established by the Supreme Court and administered by the State Court Administrator. Each year, The Chief Justice communicates the condition of the Judicial Department through the "State of the Judiciary Address to the General Assembly. The Governor must include the entire Judicial budget request of the Judicial Department without comment as part of his budget as he passes it to the General Assembly. The expense of operating and maintaining the Judicial Department is to be paid out of the General Fund of the State from funds appropriated by the General Assembly to the Supreme Court.

The State Court Administrator serves at the pleasure of the Supreme Court by managing the Judicial Department; administering appropriated funds; authorizing the filling of vacant court-employee positions; supervising employees of the Supreme Court and Court of Appeals; ensuring that affirmative action goals are being met; administering the Judicial Retirement System; and performing other duties as assigned by the Supreme Court, the Chief Justice, or the Code of Iowa.

The Clerk of the Supreme Court is appointed by the Supreme Court and serves both the Supreme Court and the Court of Appeals. The Clerk of the Supreme Court docket all cases appealed to the Supreme Court; collects court fees; files legal briefs and other records and files as well as records every opinion and order of the Court.

The Iowa Court of Appeals is used to handle overflow of cases that the Supreme Court is not able to hear. In other words, all appeals from the District Courts are appealed directly to the Supreme Court and the Supreme Court decides whether the case shall be heard by the Supreme Court or the Iowa Court of Appeals. Usually the Court of Appeals hears cases which the Supreme Court decides are not significant areas of change in the law. The Supreme Court also entertains "appeals of right." Five states including Iowa, Hawaii, Idaho, Oklahoma, and South Carolina use an overflow system.

Iowa's District Courts and Magistrate Courts are administratively organized into 8 Judicial Districts. The Judicial Districts provide court services in all counties and are served by 101 District Judges, 50 District Associate Judges, 26 Senior Judges, 11 Associate Juvenile Judges and 134 Magistrates.

Magistrates serve on a part-time basis within their county of residence and are not required to be licensed attorneys. Magistrates may hold court at other locations within their jurisdiction at the discretion of the District Chief Judge. Magistrate Courts hear civil cases involving sums of money less than \$2,000 and criminal cases in which the charge is no more than a simple misdemeanor. All other cases go to the District Courts. In addition, District Courts preside over involuntary commitments, probate hearings, termination of parental rights and juvenile hearings.

Jury trials are allowed by statute in all cases except small claims, juvenile, equity cases, city and county ordinance violations and mental health cases. Non-jury or bench trials are decided by a judge instead of a jury. Cases tried in small claims court and before a magistrate are appealed to the District Court before they may be appealed to the Iowa Supreme Court.

Each Judicial District has a District Court Administrator appointed by the District Chief Judge. The District Court Administrator is responsible for assisting the District Chief Judge with supervising and administering the operations of the Judicial district, implementing policies and procedures directed by the State Court Administrator's office and a number of other duties assigned by the District Chief Judge.

The administrative duties for Iowa's District Courts are performed by 100 Clerks of Court offices. Each county has one courtroom and Clerk of Court office, except Lee County which maintains two offices. The Clerks of Court and their staff provide assistance to judicial officers by preparing dockets; collecting fines, fees and court costs; and storing and keeping track of court records. Clerks in urban settings tend to be specialized in areas of heavy usage, while Clerks in rural counties tend to be generalists because they sometimes work alone or with fewer staff. The County Clerks of Court became fully integrated into the Judicial Department in 1987. Since that time, the County Clerks of the Court operate under the control of the Judicial District.

In Iowa, District Judges and their respective Court Recorders travel to each county on scheduled court days. This approach allows the Court to allocate the time of Judges according to caseload across the District. Counties having a larger case load, schedule more court days. Counties requiring less time schedule fewer court days. Under the present system, support staff positions of District Clerks of Court in each county are adjusted to level the workload across counties. Iowa's approach separates the functions of Judges and Clerks of Court to provide ongoing access while more fully utilizing the time of Judges. According to the State Court Administrator, the minimum Judicial access in rural counties is to be no less than the equivalent of one-half day per week. However, contact with District Clerks of the Court confirm that this minimum standard may occasionally be

overlooked depending upon District Judge discretion.

Other states have a variety of courts of specialized, limited and general jurisdiction, including separate courts for tax, municipal, traffic, probate, small claims, circuit, family, juvenile, magistrate, common pleas, chancery, alderman, criminal and felony courts. Unification combines several specialized courts at municipal and county levels into a general purpose unified District Court at the county level. District courts in Iowa have been unified and now include all other lower forms of courts. Unification is undertaken to improve court efficiency and to simplify the legal process for citizens. As a result, the most readily achievable cost efficiencies from consolidation are likely to have been realized through the unification process.

2. FINANCIAL INTEGRATION. In 1983, the General Assembly adopted S.F. 495 which established the Iowa Judicial Department and began a phased-in integration of County Court Reporters, Bailiffs, Clerks of District Court and Juvenile Court Officers. The state agreed to assume certain costs and salaries of county court officers in return for Counties picking up more of Iowa's mental health costs. Some lawmakers assert they were given a false impression by state court officials in that no great increase in cost to the state was expected from shifting the functions over time. However, a number of structural factors have contributed to rising costs, including new domestic statutes, enhanced law enforcement, increased penalties, and increasing caseloads. In addition, some county officials report that salaries for District Clerks of Court personnel have increased to \$5,000 above comparable local officials since the state assumed responsibility for the court system in 1988.

The State Court Administrator has conducted an analysis of the fiscal impact of Court Reorganization covering the fiscal years of 1984 to 1992.

In 1983, the state assumed control of jury fees from the counties. In doing so, the state generated a net gain in revenue of \$804,619 after total costs were deducted.

In 1984, the state assumed control of witness fees and Court Reporters from the counties, generating a net gain in revenue of \$9 million after costs.

In 1985, the state assumed control of Court Attendants and juvenile court services, gaining \$3 million in net revenue.

In 1986, the state phased-in the expenses of Clerks of the District Court, Judges and Magistrates, which generated a net cost of \$14 million to the state after revenue.

In 1987, the state assumed responsibility for indigent defense. That year the state incurred a net cost of \$22 million after revenue for assuming responsibility of the court system.

The state has continue to absorb a net cost related to the restructuring the District Courts. In 1990 and 1991, the state budget absorbed a net cost of \$24 and \$25 million respectively. In 1992, the net cost totaled \$17 million.

IOWA COURT INFORMATION SYSTEM (ICIS). Between FY 1988 and FY 1994, \$20 million has been appropriated to the Judicial Department for development and maintenance of the Iowa Court Information System (ICIS) which allows users to enter, process and retrieve court information. Additional applications include office automation, finance and personnel, and case processing and administrative information management. However, of the total 99 counties in Iowa, only 28 are actually benefiting from the ICIS minicomputers. There are currently 29 Minicomputer systems located throughout the state, two are in Polk County. Each Judicial District uses dedicated leased lines to transmit and receive court data. Counties use dial-up lines for the same purpose. According the Legislative Fiscal Bureau, recent discussion of the need for additional new hardware raises concern about the level of expenditures for a system that was to have linked the entire Court System throughout the State.

Some policymakers have initiated discussions as to the potential use of the fiber optics network system along with ICIS. Configuration, compatibility and costs or cost savings are unknown at this time, however, fiber optics will provide electronic data access to all counties which overcomes the more limited access to ICIS's present configuration.

4: BUDGET DEVELOPMENT AND IMPLEMENTATION. Based on information provided by the Legislative Fiscal Bureau, the Judicial Department operations are funded by the Legislature through an annual line item appropriation to the Supreme Court. For FY 1994, the General Assembly appropriated \$80.6 million to the Judicial Department.

The operating budgets of the District Court are formulated at the District level, reviewed and approved by the Supreme court and forward as a single budgetary request to the Governor and Legislature. Once the lump sum General Fund appropriation is made to the Supreme Court, the following internal allocation procedures are implemented at the State and District levels:

- * The State Court Administrator allocates funding to the Appellate Courts and District Courts based on historical spending and any special requests for furniture and equipment. All funding for furniture and equipment is included in the Supreme Court Budget except for funding for ICIS. Each District must submit a formal request to the State Court Administrator for new furniture and equipment. The State Court Administrator either grants or denies the request.

- * The District Offices allocate funding to the counties based upon historical spending as well. The State Court Administrator

does not monitor the amount of funds the District offices allocate to each county. Fiscal and personnel matters are subject to centralized policies and procedures but managed by local court officials. The District offices are required to submit monthly expenditure reports to the State Court Administrator's office.

* The District offices submit all voucher claims to the State Court Administrator. The State Court Administrator reviews and logs all claims into the Iowa Financial Accounting System (IFAS). The Department of Revenue and Finance audits each claim before approving payment. At the end of each month the State Court Administrator provides financial reports generated from IFAS to the District Offices.

5. NEED FOR IMPROVED FISCAL MANAGEMENT. A Collections Task Force, established by the Governor's Committee on Spending Reform, selected Deloitte and Touche to conduct a comprehensive review of various state agencies regarding their accounts receivable and collections operations. The Judicial Department was evaluated and cited for needing significant improvement in using effective accounts receivable management measures and collection processes. (See Appendix A.)

6. REALLOCATION OF DISTRICT CLERK FTE POSITIONS. During the 1993 General Assembly, the Justice System Appropriations Subcommittee recommended that the Department review its current staffing levels by county and reassign court employees, as necessary to address the backlog in case loads. After determining that a disproportionate workload in the various District Clerks of Court offices existed, the Supreme Court issued an order to reallocate Clerks of Court personnel in April 1993. The Department was to use a method called "Weighted Workload Averages" to determine reallocation adjustments. Information was gathered by surveying Clerks of District Court personnel regarding workload and function. The staff reallocation is complete and its effectiveness is being studied.

In December of 1993, the State Supreme Court ordered County Clerks of Courts to eliminate discretionary services including passport processing, genealogical and lien searches and certain secretarial chores for judges. The order is the latest of several steps taken by the court system to conserve resources and concentrate on those duties required by law. Additional discussions have been held between the State Court Administrator's Office and State Association of County Recorders regarding the potential transfer of vital statistics reporting responsibilities from District Clerks of Court to County Recorders.

7. TRANSITIONAL PROBLEMS RELATING TO CLERKS OF COURT. The 100 Clerks of the Court offices became fully integrated into the Judicial Department in 1987. However, the Fiscal Bureau reports that some problems have developed as some Clerks of Court

resisted the change:

- * Loss of autonomy as a result of administrative policies and procedures now developed and implemented at the State Level rather than the county level.

- * Increasing workloads as a result of changing to computers for docketing and managing Clerks of Court records. Most Clerks' internal policies were based on manual production procedures rather than computerized processes.

- * Being required to report county court information, such as case data and collection of fines, fees, and court costs to the State. Inability or unwillingness to provide this information on a timely basis, hampers Judicial management and Legislative policy making.

- * Changing from a county based computer system to a statewide uniform Iowa Court Information System. For certain counties, the county based computer system may have relied more on individual functions being performed for county attorneys, law enforcement agencies, local bar associations, and abstractors.

- * Increasing caseloads as a result of new and more complex legislative mandates and requirements being enacted over time. Reportedly, District Clerks of Court personnel salaries increased up to \$5,000 above comparable local officials in some counties since the state assumed responsibility for the court system.

C. SURVEY OF COURT CONCERNS IN IOWA AND SELECTED STATES.

Court financing problems are of national concern. Public concern over crime is increasing. Caseloads for court systems are rising. Yet, state budgetary and fiscal problems in all but a few states are placing additional financial pressures on state court systems. Financial pressures on Iowa's courts are similar to those being experienced in many other states. Increasing caseloads coupled with constrained funding from the Legislature forces state court systems to develop new organization structures, management procedures and financing mechanisms to fund court operations while providing equal access to justice.

During his 1993 legislative address, the Chief Justice cited the dramatic increases in caseloads faced by the Iowa court system. "Since 1988, the number of criminal cases filed in our courts has increased more than 45 percent. Last year alone, criminal filings jumped more than 10 percent. Civil filings have risen nearly 30 percent in the last five years. This year, there were almost 15 percent more case filings. This growing burden is compounded by the fact that a greater percentage of cases are going to trial."

Actual Judicial Department appropriation numbers from the Legislative Fiscal Bureau show an appropriation cut of 0.5

percent for FY 1992, a 6.6 percent increase for FY 1993, and a 2.1 percent increase for FY 1994.

The Chief Justice's address suggested the increase in caseload is a partial result of legislative changes in state laws and additional resources appropriated to law enforcement without corresponding increases to the court system for processing and trying the increased caseload.

Then the Chief Justice suggested that the Iowa District Courts may have to be consolidated to assist the Supreme Court in managing the financial restraints imposed upon the court system by the Legislature. In response to the Chief Justice's suggestion of consolidation, the State Court Administrator distributed information regarding three consolidation alternatives for discussion purposes.

Option 1.

- * Consolidate 29 District Clerk of Court offices.
- * Continue to provide judicial services in all counties when necessary, including court service day, hearings and trial.
- * Move current court records to a regional center, and keep old court records in the original county.
- * Keep jury service in all counties.
- * Require Clerk of Court staff to travel to individual counties to staff court proceedings.

Option 2.

- * Consolidate and reduce the number of District Clerk of Court offices from 100 to 31.
- * Conduct judicial services in regional centers.
- * Move current court records to regional centers.
- * Keep old court records in original county.
- * Create multi-county jury selection process.

Option 3.

- * Consolidate and reduce number of District Clerk of Court offices from 100 to 13.
- * One Clerk of Court office per judicial sub-district.
- * Limit judicial services to sub-district litigation centers.
- * Move current court records to regional center.
- * Keep old court records in original county.
- * Create sub-district jury selection process.

In considering a list of options requested by the Supreme Court, the State Court Administrator noted some of the possible adverse effects of consolidation. First, he suggests costs will likely increase for litigants, abstractors, banks, business owners, real estate agents, child support payers and recipients, law enforcement, lawyers, municipalities and state agencies. Second, he suggests counties will need to build larger court facilities

in regional locations which may increase county expenses. Third, he suggests that consolidation may limit public access to the court system.

During his State of the Judiciary Address to the 1994 General Assembly, the Chief Justice of the Iowa Supreme Court again warned of impacts and costs of growing criminal and civil case filings. The Chief Justice emphasized the need for more judges to reduce the caseload backlog. This request appears to signal a revised strategy of addressing the judicial needs of the state while maintaining an efficient judicial system within the current organizational structure.

An additional approach for increasing the utilization of Judge time and for reducing the caseload backlog of District Courts is to examine appropriate ways in which the scope of practice for Magistrates might be expanded to reduce the District Court overflow. In such approaches, however, access to judicial process must be balanced with quality of judicial process.

D. REVIEW OF EXISTING AUTHORITIES, PROCESSES AND INCENTIVES FOR COURT CONSOLIDATION IN IOWA AND SELECTED STATES.

Article V. Section 4 of the Iowa Constitution states that the Supreme Court shall have power to issue all writs and process necessary secure justice to parties, and shall exercise a supervisory and administrative control over all inferior judicial tribunals throughout the state. As a result, the Supreme Court, Chief Justice and State Court Administrator possess authority and responsibility for developing and approving administrative structures, processes and procedures for implementing a court system that provides the citizens of Iowa with access to fair and equal justice.

Article V. Section 10 of the Iowa Constitution states that the general assembly may reorganize the judicial districts and increase or diminish the number of districts, or the number of judges of the said court.

Iowa Code 603.6205 requires court services to be provided in all counties maintaining space for the district court.

Therefore, consolidation of Iowa's district courts as outlined by the State Court Administrator, would require approval by the Supreme Court and approval by the General Assembly.

E. DETERMINE APPROPRIATE PRINCIPLES AND METHODS FOR CONDUCTING AN ECONOMIES OF SIZE STUDY OF COURT SERVICE DELIVERY.

Based on the literature review, we have constructed a full cost framework for conceptually analyzing the impacts of the three proposed reorganization options on Iowa's current District Court

Table 1. Preliminary Hypothesized Impacts of 3 Consolidation Options on Full Economic Costs per Case for Iowa Courts.

Cost Items	Expected Option 1 Impacts		Expected Option 2 Impacts		Expected Option 3 Impacts	
	State	Other	State	Other	State	Other
Agency Budget						
1. Judge Sal/B	0		0		0	
Travel	+		-		-	
Magistrates	+		+		+	
Travel		+		+		+
2. Reporters	0		0		0	
Transcripts	0		0		0	
Travel	+		-		-	
3. Clerks	-		-		-	
Staff	+		-		-	
Processing	+		-		-	
4. Moving	+		+		+	
Records						
5. Attendants	+		0		0	
Scheduling	-		-		-	
6. Supplies	+-		-		-	
7. Law Enforce		+		+		+
8. County Atty		+		+		+
9. Other Agency		+		+		+
10. Witness Expense	+	+	+	+	+	+
11. Jury Expense	+	+	+	+	+	+
12. Defendant Expense		+		+		+
13. Plaintiff Expense		+		+		+
14. Indigent Defense Exp.	0		+		+	
15. Court Equipment	0		-		-	
16. Facility	+	0+	+	0+	+	0+
17. Bldg Maint and Utilities	+	0+	+	0+	+	0+
18. Administ.	-		-		-	
19. Computer Network	-		-		-	

system structure. Table 1 provides a matrix of our hypothesized impacts for each functional expenditure category based on a preliminary set of assumptions outlined.

The above relationships represent our hypothesized direct economic impacts to the court system, external agencies and citizens requiring court services. They do not account for any indirect economic or social impacts on rural communities that may gain or lose court services.

F. IDENTIFY AND DETERMINE THE AVAILABILITY OF DATA SOURCES REGARDING THE COMPONENTS OF COURT SERVICE DELIVERY AND THE COSTS ASSOCIATED WITH EACH FUNCTION.

Computerized data for analyzing costs of District courts would appear to exist. The State Court Administrator's Office has been asked to review this preliminary report for comment and data has been requested directly from the State Court Administrator's Office. If data is not forthcoming, ISU's Rural Data Project maintains agreements for access to a variety of data collected and maintained by State government agencies. An inquiry for Court data was made to the Rural Data Project, however this request will not be pursued until resolution of requests from the State Court Administrator's office.

In addition, three counties will be selected from a field of six for the purposes of conducting field interviews. The purpose of the field interviews will be to determine whether the matrix of hypothesized cost impacts of consolidation presented herein are consistent with local experience. In addition, field interviews will be used to estimate the relative magnitude of the likely impacts on the functioning of court services, local agencies and clients. Completion of Phase II will be completed Spring 1994.